

AMENDED IN SENATE AUGUST 13, 2013

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 23, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 513

Introduced by Assembly Member Frazier

(Principal coauthors: Assembly Members Chesbro and Gordon)

**(Coauthors: Assembly Members Ammiano, Garcia, Skinner, and
Stone)**

February 20, 2013

An act to add and repeal Section 42872.1 of the Public Resources Code, relating to tire recycling, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 513, as amended, Frazier. Tire recycling program: rubberized asphalt.

The California Tire Recycling Act requires a person who purchases a new tire to pay a California tire fee, for deposit in the California Tire Recycling Management Fund, for expenditure by the Department of Resources Recycling and Recovery, upon appropriation by the Legislature, to pay the costs of operating the tire recycling program. The act provides that the tire recycling program may include the awarding of grants, loans, subsidies, and rebates and the payment of incentives for various purposes related to reducing landfill disposal of used whole tires and tire recycling. Existing law requires the moneys in the fund, except as specified, to be appropriated to the department

in the annual Budget Act in a manner consistent with the department's 5-year plan.

This bill would establish the Rubberized Asphalt Concrete Market Development Act and would require the department, in accordance with the tire recycling program, to award grants for certain public agency projects that utilize rubberized asphalt concrete.

The bill would require the department to award these grants in the amount of \$2 for every 12 pounds of crumb rubber used in a public works or disability access project, *but would authorize the department to adjust this rate if it finds that the adjusted amount would further the purposes of the act.*

The bill would, in addition to the expenditures authorized by existing law, annually appropriate \$10,000,000 *for each fiscal year*, commencing with the ~~2014 calendar~~ 2014–15 fiscal year, to the department from the fees deposited in the fund, to award those grants. The bill would *make the act inoperative on June 30, 2019, and would* repeal the act on January 1, 2020.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 42872.1 is added to the Public Resources
- 2 Code, to read:
- 3 42872.1. (a) This section shall be known, and may be cited,
- 4 as the Rubberized Asphalt Concrete Market Development Act.
- 5 (b) In accordance with the tire recycling program authorized by
- 6 Section 42872, the department shall award grants in the following
- 7 manner:
- 8 (1) To cities, counties, and other local governmental agencies
- 9 for the funding of public works projects that utilize rubberized
- 10 asphalt concrete.
- 11 (2) To state and local governmental agencies, including regional
- 12 park districts, for the funding of disability access projects at parks
- 13 and Class I bikeways as defined in subdivision (a) of Section 890.4,
- 14 relative to projects that utilize rubberized asphalt concrete.
- 15 (c) ~~The~~ (1) *Except as provided in paragraph (1), the* department
- 16 shall award the grants pursuant to subdivision (b) in the amount
- 17 of two dollars (\$2) for every 12 pounds of crumb rubber used in

1 a public works or disability access project by a state or local
2 governmental agency, including a regional park district.

3 (2) *The department may adjust the amount of grants awarded*
4 *pursuant to paragraph (1) to an amount that is greater than, or*
5 *less than, two dollars (\$2) for every 12 pounds of crumb rubber*
6 *if the department finds this adjustment would further the purposes*
7 *of this section.*

8 (d) In addition to the expenditures authorized pursuant to Section
9 42885.5, the sum of ten million dollars (\$10,000,000) is hereby
10 appropriated ~~annually~~ *for each fiscal year*, commencing with the
11 ~~2014 calendar~~ *2014–15 fiscal* year, to the department from the
12 fees deposited in the California Tire Recycling Management Fund
13 pursuant to Section 42885, to award rubberized asphalt concrete
14 grants pursuant to this section.

15 ~~(e) This section shall remain in effect only until January 1, 2020,~~
16 ~~and as of that date is repealed, unless a later enacted statute, that~~
17 ~~is enacted before January 1, 2020, deletes or extends that date.~~

18 *(e) This section shall become inoperative on June 30, 2019,*
19 *and, as of January 1, 2020, is repealed, unless a later enacted*
20 *statute, that becomes operative on or before January 1, 2020,*
21 *deletes or extends the dates on which it becomes inoperative and*
22 *is repealed.*